



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO. 1470 OF 2023 IN
FIRST APPEAL (St.) NO. 18137 OF 2022

Vinod Baburao Rodiye .VS. Special Land Acquisition Officer, Buldhana and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr P. R. Patel, Adv. h/f. Mr R. P. Masurkar, Advocate for the appellant
Mr G. S. Umale, AGP for the State/respondent No. 1

CORAM : G.A. SANAP, J.
DATE : FEBRUARY 21, 2024.

Nobody appears for respondent Nos.2 and 3 despite service. Heard learned Advocate for the appellant and learned AGP for respondent No. 1.

2. This is an application for condonation of 1215 days delay caused in filing appeal against impugned judgment and order, dated 30.03.2017 passed by the Civil Judge Senior Division, Malkapur. The reasons have been stated in the application. In view of the reasons, the application is **allowed**.

3. Delay of 1215 days caused in filing appeal stands condoned.

4. It is made clear that in view of the decision in the case of *New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma*

(Dead), through Legal Heir and another (2022 SCC Online SC 1599), the original land owners/claimants/appellants herein shall not be entitled to get any statutory benefits, including the interest payable under the Land Acquisition Act on the enhanced amount of compensation for the delayed period, in case the appeal is allowed.

5. The first appeal be registered.

6. The civil application stands **disposed of**, accordingly.

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7. Heard.

8. **ADMIT.**

9. Learned AGP waives service of notice on behalf of respondent No. 1

10. Notice issued to respondent Nos. 2 and 3 is made returnable within six weeks.

11. Call for record and proceedings.

12. Paper book be filed within twelve weeks from the date of receipt of record and proceedings.

(G. A. SANAP, J.)

Namrata